

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD  
NOTICE OF RULEMAKING HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on December 3, 2012 at 9:00 a.m. in Room 307 at the State Capital in Santa Fe, New Mexico. The purpose of the hearing is to consider the matter of EIB 12-05, the New Mexico Environment Department's ("NMED") proposal to adopt amendments to 20.2.70 NMAC (Operating Permits) and 20.2.74 NMAC (Permits - Prevention of Significant Deterioration (PSD)). The amendments to 20.2.70 NMAC are proposed as revisions to the Title V Operating Permit Program, and the amendments to 20.2.74 NMAC are proposed as revisions to the State Implementation Plan (SIP). The proposed revisions will defer until 2014 the consideration of carbon dioxide emissions from biogenic sources when determining whether a source meets the Title V and PSD applicability thresholds, and establish plantwide applicability limitations (PALs) for greenhouse gas emissions in the PSD rule.

The NMED will host an informational open house on the proposed revisions to 20.2.70 and 20.2.74 NMAC at the NMED Air Quality Bureau Office, 1301 Siler Road, Building B, Santa Fe, New Mexico 87507, from 12:00 p.m. to 3:00 p.m. on November 8, 2012. To attend the informational open house, please contact Kerwin Singleton at (505) 476.4350 or [kerwin.singleton@state.nm.us](mailto:kerwin.singleton@state.nm.us).

The proposed revised regulations may be viewed during regular business hours at the NMED Air Quality Bureau Office, 1301 Siler Road, Building B, Santa Fe New Mexico 87507. Full text of NMED's proposed revised regulations are available on NMED's website at [www.nmenv.state.nm.us](http://www.nmenv.state.nm.us), or by contacting Kerwin Singleton at (505) 476.4350 or [kerwin.singleton@state.nm.us](mailto:kerwin.singleton@state.nm.us).

The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures-Environmental Improvement Board), the Environmental Improvement Act, Section 74-1-9 NMSA 1978, the Air Quality Control Act, Section 74-2-6 NMSA 1978, and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

- (1) identify the person for whom the witness(es) will testify;
- (2) identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of their education and work background;
- (3) include a copy of the direct testimony of each technical witness;
- (4) list and attach each exhibit anticipated to be offered by that person at the hearing; and
- (5) attach the text of any recommended modifications to the proposed new and revised regulations.

Notices of intent for the hearing must be received in the Office of the Board no later than 5:00 p.m. on November 13, 2012 and should reference docket number EIB 12-05 and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Felicia Orth, Acting Board Administrator  
Office of the Environmental Improvement Board  
Harold Runnels Building  
1190 St. Francis Dr., Room 3056-N  
Santa Fe, New Mexico 87502  
Phone: (505) 827.0339, Fax: (505) 827.2836

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his or her testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of the hearing process should contact Connie Joseph by November 16, 2012 at the NMED Personnel Services Bureau, P.O. Box 26110, 1190 St. Francis Dr., Santa Fe, New Mexico 87502, telephone (505) 827.9769. TDY users please access her number via the New Mexico Relay Network at (800) 659.8331.

The Board may make a decision on the proposed revised regulations at the conclusion of the hearing, or the Board may convene a meeting at a later date to consider action on the proposal.